

91<sup>st</sup> Legislative Session – 2016

Committee: Senate Health and Human Services

Friday, February 19, 2016

P - Present  
E - Excused  
A - Absent

Roll Call

P Bradford  
P Curd  
P Heinert  
P Jensen (Phil)  
P Shorma  
P Rusch, Vice-Chair  
P Rampelberg, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Rampelberg, Chair.

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, FEBRUARY 17.

Moved by: Shorma  
Second by: Rusch  
Action: Prevailed by voice vote.

SB 72: prohibit the abortion of an unborn child who is capable of experiencing pain and to provide a penalty therefor.

THE MOTION TO DO PASS SB 72 AS AMENDED

Moved by: Jensen (Phil)  
Second by: Rusch  
Action: FAILED BY ROLL CALL VOTE. (0-7-0-0)

Voting No: Bradford, Curd, Heinert, Jensen (Phil), Shorma, Rusch, Rampelberg

MOTION: AMEND SB 72

72sb

On page 7, after line 17 of the printed bill, insert:

" Section 10. That § 34-23A-4 be amended to read:

34-23A-4. An abortion may be performed following the twelfth week of pregnancy and ~~through the twenty-fourth~~ up to the twentieth week of pregnancy by a physician only in a hospital licensed under the provisions of chapter 34-12 or in a hospital operated by the United States, this state, or any department, agency, or political subdivision of either or in the case of hospital facilities not being available, in the licensed physician's medical clinic or office of practice subject to the requirements of § 34-23A-6.

Section 11. That § 34-23A-5 be amended to read:

34-23A-5. An abortion may be performed following the ~~twenty-fourth~~ twentieth week of pregnancy by a physician only in a hospital authorized under § 34-23A-4 and only if there is ~~appropriate and~~ reasonable medical judgment that performance of an abortion is necessary to preserve the life or health of the mother due to a serious health risk to the unborn child's mother."

Moved by: Rusch  
Second by: Jensen (Phil)  
Action: Prevailed by roll call vote. (4-3-0-0)

Voting Yes: Jensen (Phil), Shorma, Rusch, Rampelberg

Voting No: Bradford, Curd, Heinert

MOTION: AMEND SB 72

72sa

On page 2, line 20, of the printed bill, delete "Class 6 felony" and insert "Class 1 misdemeanor".

Moved by: Shorma  
Second by: Rusch  
Action: Prevailed by voice vote.

MOTION: DO PASS SB 72 AS AMENDED

Moved by: Jensen (Phil)  
Second by: Rusch  
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DEFER SB 72 TO THE 41<sup>ST</sup> LEGISLATIVE DAY

Moved by: Heinert  
Second by: Bradford  
Action: Failed by roll call vote. (3-4-0-0)

Voting Yes: Bradford, Curd, Heinert

Voting No: Jensen (Phil), Shorma, Rusch, Rampelberg

MOTION: DO PASS SB 72 AS AMENDED

Moved by: Jensen (Phil)  
Second by: Rusch  
Action: Prevailed by roll call vote. (4-3-0-0)

Voting Yes: Jensen (Phil), Shorma, Rusch, Rampelberg

Voting No: Bradford, Curd, Heinert

SB 171: permit and regulate the compassionate use of cannabis and provide penalties therefor.

Proponents: George Hendrickson, self  
Opponents: Jenna Howell, Department of Public Safety  
Staci Ackerman, South Dakota Sheriffs Association  
Justin Bell, South Dakota State Medical Association  
Dale Bartscher, Family Heritage Alliance  
Terrance Dosch, SD Council of Mental Health Centers  
Paul Bachand, South Dakota State's Attorneys Association

MOTION: DO PASS SB 171 AS AMENDED

Moved by: Heinert  
Second by: Curd  
Action: Prevailed by roll call vote. (6-1-0-0)

Voting Yes: Bradford, Curd, Heinert, Shorma, Rusch, Rampelberg

Voting No: Jensen (Phil)

SB 152: enact the Peter Falk Act to ensure visitation of certain protected persons.

Presented by: Senator Jensen (Phil)

MOTION: DO PASS SB 152

Moved by: Shorma

Second by: Bradford

Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Bradford, Curd, Heinert, Jensen (Phil), Shorma, Rusch, Rampelberg

MOTION: ADJOURN

Moved by: Rusch

Second by: Shorma

Action: Prevailed by voice vote.

Marilyn Seymour  
Committee Secretary

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Bruce Rampelberg, Chair